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EXAMINER
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ART UNIT	PAPER NUMBER
2174	3

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/848,936	DE VORCHIK ET AL.
Office Action Summary	Examiner	Art Unit	
	Boris Pesin	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-47* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-47* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 6 is objected to because of the following informalities: There seems to be a typo to what parent claim this dependent claim is referring to. For the purpose of this office action, the examiner will interpret claim 6 as a child of claim 1. Appropriate correction is required.

Claim 10 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 2. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 13 is objected to because of the following informalities: The claim needs to end in a period not a semicolon. Appropriate correction is required.

Claim 27 is objected to because of the following informalities: The claim cannot be more than one sentence (Page 27, Line 8). Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 17, 19, 20, 21, 22, 23, 25, 27, 29, 30, 31, 33, 41, 43, and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Nero (Ahead Software).

In regards to claim 17, Nero teaches a graphical user interface for a computer, comprising: an operating system that interacts with a user to manage computer resources (See Figure 1); the operating system having a resource browser that is responsive to user input to explore resource areas containing different types of resources and to display icons that represent the resources (See Figure 1, Element 1), at least some of the resources being physically moveable to and from the resource areas by moving their corresponding icons (See Figure 1, Element 2 is moved to Element 3); at least one of the resource areas being a staged-write resource area (See Figure 1, Element 3); the resource browser being configured to define a stored resource display area and a staged resource display area, the stored resource display area showing icons of resources that are already stored in the staged-write resource area, the staged resource display area showing icons of staged resources that the user desires to be written to the writable resource area but that have not yet been written to said writable resource area (See Figure 11, "This window displays all information concerning the track you have selected. Depending on the refresh options selected in the multisession property sheet, you will see some folders and files shown in black or in grey. Folders and files shown in black designate that they have been changed or recorded on your hard disk since your last session. They will be recorded on your CD

now. Folders and files shown in grey designate that they are already on your CD. They have been recorded during your last session and have not been changed. They are not going to be physically rewritten.").

In regards to claim 19, Nero teaches that upon writing the staged resources, writing additional resources not specifically designated by the user for use in conjunction with the identified resources after they are written (Figure 7, Element 1, if the user chooses to make a bootable CD, Nero will automatically add the necessary files so that the PC can boot of the CD).

In regards to claim 20, Nero teaches that automatically identifying a viewer program that is compatible with one or more of the identified resources; writing the viewer program to the storage medium for use in conjunction with the identified resources after they are written (Figure 7, Element 1, Nero burns the appropriate software so the files can be loaded up and viewed through the command prompt on boot-up).

In regards to claim 21, Nero teaches that the resource browser further alters the icons to indicate status of the staged resources. (See Figure 8, Element 1, the data that is going to be recorded is in capital letters)

In regards to claim 22, Nero further teaches that some of the icons have status overlays to indicate staged status and an in-process status (See Figure 9, Element 1, the overlay tells the status on the writing process).

In regards to claim 23, Nero teaches a graphical user interface further comprising a contextually sensitive command area, wherein the resource browser includes a delete

resource command in the contextually sensitive command area if and only if the particular type of writable resource area is rewritable. (See Figure 10, Element 1).

In regards to claim 25, Nero teaches a graphical user interface wherein: prior to interacting with the user, the operating system pre-allocates a contiguous portion of mass storage for future use when writing identified resources to the writable resource area, wherein the pre-allocated portion is large enough to create a data image that is to be created on the writable resource area (See Figure 4, Element 1, the user can create an image of the file set, also see Figure 6, there is a cache that is set by default); prior to writing the staged resources to the writable resource area, creating a data image in the pre-allocated portion of mass storage (See Figure 5, Element 1, the user can record the image on the storage medium).

In regards to claim 27, Nero teaches a graphical user interface for a computer, comprising: an operating system that interacts with a user to manage computer resources (See Figure 1); the operating system having a resource browser that is responsive to user input to explore resource areas containing different types of resources and to display icons that represent the resources (See Figure 1, Element 1), at least some of the resources being physically moveable to and from the resource areas by moving their corresponding icons (See Figure 1, Element 2 is moved to Element 3); at least one of the resource areas being a staged-write resource area (See Figure 1, Element 3); the resource browser being configured to display icons of stored resources that are already stored in the staged-write resource area and icons of staged resources that the user desires to be written to the staged-write resource area but that

have not yet been written to said staged-write resource area; wherein the resource

browser shows different representations of the resources depending upon whether they

are stored resources or staged resources (See Figure 11, "This window displays all

information concerning the track you have selected. Depending on the refresh options

selected in the multisession property sheet, you will see some folders and files shown in

black or in grey. Folders and files shown in black designate that they have been

changed or recorded on your hard disk since your last session. They will be recorded on

your CD now. Folders and files shown in grey designate that they are already on your

CD. They have been recorded during your last session and have not been changed.

They are not going to be physically rewritten."); the resource browser being responsive

to a user action to initiate a batch write of the staged resources to the staged-write

resource area (See Figure 3, Element 1, the user can press the record button).

In regards to claim 29, Nero teaches a graphical user interface wherein: the

resource browser is further configured, upon writing the staged resources, to write

additional resources not specifically designated by the user for use in conjunction with

the staged resources after they are written. (Figure 7, Element 1, if the user chooses to

make a bootable CD, Nero will automatically add the necessary files so that the PC can

boot of the CD).

In regards to claim 30, Nero teaches a graphical user interface further

comprising, upon writing the staged resources: automatically identifying a viewer

program that is compatible with one or more of the staged resources; writing the viewer

program to the storage medium for use in conjunction with the staged resources after

they are written. (Figure 7, Element 1, Nero burns the appropriate software so the files

can be loaded up and viewed through the command prompt on boot-up).

In regards to claim 31, Nero teaches a graphical user interface further comprising

a contextually sensitive command menu, the menu including a delete resource

command if and only if the particular type of writable resource area is rewritable. (See

Figure 10, Element 1).

In regards to claim 33, Nero teaches a graphical user interface wherein: prior to

interacting with a user to manage computer resources, the operating system

pre-allocates a contiguous portion of mass storage for future use, wherein the

pre-allocated portion is large enough to create a data image that is to be created on the

staged-write resource area (See Figure 4, Element 1, the user can create an image of

the file set, also see Figure 6, there is a cache that is set by default); prior to writing the

staged resources to the writable resource area, creating a data image in the

pre-allocated portion of mass storage (See Figure 5, Element 1, the user can record the

image on the storage medium).

In regards to claim 41, Nero teaches an operating system embodied on one or

more computer readable media, the operating system performing actions comprising:

saving resources in response to requests from application programs (See Figure 3,

Element 1); in response to receiving a request from an application program to save a

resource on a staged-write storage medium, noting that resource as being staged

without writing the resource (See Figure 1, Element 3); in response to a user initiation,

writing any staged resources to the storage medium (See Figure 3, Element 1).

In regards to claim 43, Nero teaches an operating system wherein the actions further comprise, upon writing the staged resources, writing additional resources not specifically designated by a user, for use in conjunction with the staged resources after they are written written (Figure 7, Element 1, if the user chooses to make a bootable CD, Nero will automatically add the necessary files so that the PC can boot of the CD).

In regards to claim 45, Nero further teaches an operating system, further comprising: prior to receiving requests from application programs, pre-allocating a contiguous portion of mass storage for use when writing staged resources to the storage media, wherein the pre-allocated portion is large enough to create an image of data to be written to the storage medium (See Figure 4, Element 1, the user can create an image of the file set, also see Figure 6, there is a cache that is set by default); prior to writing the staged resources to the storage media, creating a write image in the pre-allocated portion of mass storage (See Figure 4, Element 1); wherein writing the staged resources comprises writing the write image to the storage medium (See Figure 5, Element 1, the user can record the image on the storage medium).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
      obviousness or nonobviousness.

Claims 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 15, 16, 18, 28, 35, 36, 37, 38, 40, and 42

are rejected under 35 U.S.C. 103(a) as being unpatentable over Nero (Ahead

Software), in view of Kuroda et al. (US 5946277).

In regards to claim 1, Nero teaches one or more computer readable media

containing one or more operating system programs, said one or more programs

comprising: interacting with a user to manage computer resources (see Figure 1, the

user is able to manage the computer resources through the "file browser"); said

interacting including graphically browsing different computer resource areas that contain

the resources managed by the operating system (See figure 1, Element 1); representing

resources within the resource areas as icons, the resources being physically moveable

to and from at least some of the resource areas by moving the icons (See Figure 1,

Element 2); at least one of the resource areas being a particular type of writable

resource area to which resources can be written (See Figure 2, Element 3, the ISO1 is

what is going to be recorder on a disk); in response to browsing said at least one of the

resource areas, defining a graphical staging area into which a user may move icons

representing resources that are to be written to said at least one of the resource areas

(See Figure 2, Element 1, the user can create a folder then move resources into that folder), and identifying resources represented by the icons in the staging area and writing such identified resources to the storage medium (See Figure 3, Element 1, the user can press the "open the write CD dialog" button and begin writing the data to the media) . Nero does not teach delaying any writing of the resources represented in the staging area until detecting a user attempt to remove a storage medium from said at least one of the resource areas; in response to detecting the user attempt to remove the storage medium, identifying resources represented by the icons in the staging area and writing such identified resources to the storage medium. Kuroda teaches, "when the ejection operation to eject the recording disk to the outside is performed (step s8), the file management data pieces recorded on the recording device are unified, then recorded on a predetermined area of the recording disk" (Column 9, Line 57). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero with the teachings of Kuroda to include the ability to hold of on recording data until the eject button is pressed with the motivation to reduce the speed of the total recoding time because the data would only be recorded once and not several times.

In regards to claim 2, Nero teaches prior to interacting with the user, pre-allocating a contiguous portion of mass storage for future use when writing identified resources to the storage medium, wherein the pre-allocated portion is large enough to create a data image that is to be created on the storage medium (See Figure 4, Element 1, the user can create an image of the file set, also see Figure 6, there is a cache that is set by default); prior to writing the staged resources to the storage medium, creating a

data image in the pre-allocated portion of mass storage (See Figure 4, Element 1);

wherein writing the identified resources comprises writing the data image to the storage

medium (See Figure 5, Element 1, the user can record the image on the storage

medium).

In regards to claim 3, Nero teaches that upon writing the identified resources,

writing additional resources not specifically designated by the user for use in

conjunction with the identified resources after they are written (Figure 7, Element 1, if

the user chooses to make a bootable CD, Nero will automatically add the necessary

files so that the PC can boot of the CD).

In regards to claim 4, Nero teaches that automatically identifying a viewer

program that is compatible with one or more of the identified resources; writing the

viewer program to the storage medium for use in conjunction with the identified

resources after they are written (Figure 7, Element 1, Nero burns the appropriate

software so the files can be loaded up and viewed through the command prompt).

In regards to claim 5, Nero teaches that the program further alters the icons in

the staging area to indicate status of the staged resources. (See Figure 8, Element 1,

the data that is going to be recorded is in capital letters)

In regards to claim 6, Nero teaches altering the icons in the staging area with

status overlays to indicate status of the staged resources (See Figure 9, Element 1, the

overlay tells the status on the writing process).

In regards to claim 7, Nero further teaches altering the icons in the staging area

with status overlays to indicate status of the staged resources, the status overlays

including a staged status overlay and an in-process status overlay (See Figure 9,

Element 1, the overlay tells the status on the writing process).

In regards to claim 8, Nero further teaches defining a contextually sensitive

command area and displaying a delete resource command option in the contextually

sensitive command area if and only if the particular type of writable resource area is

rewritable (See Figure 10, Element 1).

Claim 10 is in the same context as claim 2; therefore it is rejected under similar

rationale.

In regards to claim 12, Nero teaches dynamically accepting designations from a

computer user of a plurality of resources to be written to a removable storage medium

(Figure 1, Element 3). Nero does not teach detecting an attempt to remove the storage

medium and in response to detecting a user attempt to remove the storage medium,

batch writing the designated resources to the storage medium. Kuroda teaches, "when

the ejection operation to eject the recording disk to the outside is performed (step s8),

the file management data pieces recorded on the recording device are unified, then

recorded on a predetermined area of the recording disk" (Column 9, Line 57).

In regards to clam 13, Nero teaches all the limitations of claim 12. Nero does not

teach a method wherein the batch writing is performed before removing the storage

medium. Kuroda teaches, "when the ejection operation to eject the recording disk to the

outside is performed (step s8), the file management data pieces recorded on the

recording device are unified, then recorded on a predetermined area of the recording

disk" (Column 9, Line 57).

In regards to claim 15, Nero teaches that upon writing the identified resources,

writing additional resources not specifically designated by the user for use in

conjunction with the identified resources after they are written (Figure 7, Element 1, if

the user chooses to make a bootable CD, Nero will automatically add the necessary

files so that the PC can boot of the CD).

In regards to claim 16, Nero teaches that automatically identifying a viewer

program that is compatible with one or more of the identified resources; writing the

viewer program to the storage medium for use in conjunction with the identified

resources after they are written (Figure 7, Element 1, Nero burns the appropriate

software so the files can be loaded up and viewed through the command prompt).

In regards to claim 18, Nero teaches all the limitations of claim 18. It does not

teach the resource browser being further configured to commence writing the staged

resources to the writable resource area upon detecting attempted removal of a storage

medium corresponding to the writable resource area. Kuroda teaches, "when the

ejection operation to eject the recording disk to the outside is performed (step s8), the

file management data pieces recorded on the recording device are unified, then

recorded on a predetermined area of the recording disk" (Column 9, Line 57).

In regards to claim 28, Nero teaches all the limitations of claim 27, it does not

teach a graphical user interface wherein the user action comprises attempting to

remove a storage medium corresponding to the staged-write resource area. Kuroda

teaches, "when the ejection operation to eject the recording disk to the outside is performed (step s8), the file management data pieces recorded on the recording device are unified, then recorded on a predetermined area of the recording disk" (Column 9, Line 57).

In regards to claim 35, Nero teaches one or more computer readable media containing a computer program, the computer program comprising: accepting designations of different resources by a user for staging prior to writing to a removable storage medium (See Figure 1, Element 3); graphically representing any resources that are already stored on the removable storage medium and any resources that are staged but not written to the removable storage medium (See Figure 11, "This window displays all information concerning the track you have selected. Depending on the refresh options selected in the multisession property sheet, you will see some folders and files shown in black or in grey. Folders and files shown in black designate that they have been changed or recorded on your hard disk since your last session. They will be recorded on your CD now. Folders and files shown in grey designate that they are already on your CD. They have been recorded during your last session and have not been changed. They are not going to be physically rewritten."). Nero does not teach detecting a user attempt to remove the removable storage media; in response to detecting the user attempt to remove the removable storage media, writing any staged resources to the removable storage media. Kuroda teaches, "when the ejection operation to eject the recording disk to the outside is performed (step s8), the file

management data pieces recorded on the recording device are unified, then recorded on a predetermined area of the recording disk" (Column 9, Line 57).

In regards to claim 36, Nero teaches one or more computer readable media the program further comprising, upon writing the staged resources, writing additional resources not specifically designated by a user, for use in conjunction with the staged resources after they are written. (Figure 7, Element 1, if the user chooses to make a bootable CD, Nero will automatically add the necessary files so that the PC can boot of the CD).

In regards to claim 37, Nero teaches one or more computer readable the program further comprising altering representations of the resources to indicate the status of the staged resources (See Figure 8, Element 1, the data that is going to be recorded is in capital letters).

In regards to claim 38, Nero teaches one or more computer readable media as recited in claim 35, the program further comprising displaying a delete resource command in a contextually sensitive command menu if and only if the particular type of writable resource area is rewritable (See Figure 10, Element 1).

In regards to claim 40, Nero teaches one or more computer readable media further comprising: prior to accepting designations by users, pre-allocating a contiguous portion of mass storage for use when writing staged resources, wherein the pre-allocated portion is large enough to create an image of data to be written to the removable storage medium (See Figure 4, Element 1, the user can create an image of the file set, also see Figure 6, there is a cache that is set by default); prior to writing the

staged resources to the removable storage media, creating a write image in the

pre-allocated portion of mass storage (See Figure 4, Element 1); wherein writing the

staged resources comprises writing the write image to the removable storage medium

(See Figure 5, Element 1, the user can record the image on the storage medium).

In regards to claim 42, Nero teaches all the limitations of claim 41. Nero does

not teach the limitation of wherein the user initiation comprises attempting to remove the

storage medium. Kuroda teaches, "when the ejection operation to eject the recording

disk to the outside is performed (step s8), the file management data pieces recorded on

the recording device are unified, then recorded on a predetermined area of the

recording disk" (Column 9, Line 57).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nero

(Ahead Software) and Kuroda et al. (US 5946277) in view of Sexton et al. (US

6499095).

In regards to claim 9, Nero and Kuroda teach all the limitations of claim 1. They

do not teach a one or more computer readable media wherein designating a resource

for representation in the graphical staging area creates a reference to said designated

resource rather than a copy of said designated resource, the programs further

comprising dereferencing said reference during writing to write a current version of the

designated resource, including any changes to the designated resource subsequent to

designating it and prior to writing it. Sexton teaches, "A numeric reference employs a

machine-independent format for encoding references between objects that is suitable

for both run-time use in virtual memory and storage use in secondary storage."

(Column 7, Line 21). He further teaches that "For run-time usage, numeric references

can be efficiently 'dereferenced'" (Column 7, Line 31). It would have been obvious to

one of ordinary skill in the art at the time of the invention to modify Nero and Kuroda

with the teachings of Sexton to include a process of referencing and dereferencing data

with the motivation to provide for efficient utilization of memory space.

Claims 11 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Nero (Ahead Software) and Kuroda et al. (US 5946277) in view of Stewart (US

6640269).

In regards to claim 11, Nero and Kuroda teach all the limitations of claim 1. They

do not teach one or more computer readable media programs further comprising:

determining whether any changes are made to the identified resources prior to writing

them; if a change is made to a particular identified resource prior to writing, creating an

unchanged copy of the particular identified resource; writing the unchanged copy to the

storage medium in place of the particular identified resource, wherein the unchanged

copy does not include changes to the particular identified resource subsequent to

designating it and prior to writing it.   Stewart teaches "To produce the shared file using

some conventional operating systems, the writer sends an "open for write" command to

the operating system, including a filename or other identifier with which to name the file.

The operating system may create the file and open it. Additionally, the operating

system may lock the file in response to such a command in order to prohibit use of the file by other processes while the file is being written. The writer may receive from some conventional operating systems a pointer or other identifier of the file in response to the open for write command." (Column 1, Line 21). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero and Kuroda with the teachings of Stewart and include a locking mechanism with the motivation to provide the user with the protection of writing over an undesired file.

In regards to claim 39, Nero in view of Kuroda teaches all the limitations of claim 35. It does not teach one or more computer readable media, the program further comprising: for any staged resource that is changed prior to writing, creating an unchanged copy of the staged resource; writing the unchanged copy in place of the changed staged resource. Stewart teaches "To produce the shared file using some conventional operating systems, the writer sends an "open for write" command to the operating system, including a filename or other identifier with which to name the file. The operating system may create the file and open it. Additionally, the operating system may lock the file in response to such a command in order to prohibit use of the file by other processes while the file is being written. The writer may receive from some conventional operating systems a pointer or other identifier of the file in response to the open for write command." (Column 1, Line 21).

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nero

(Ahead Software) and Kuroda et al. (US 5946277) in view of Paravulescu et al. (US

6678764).

In regards to claim 14, Nero and Kuroda teach all the limitations of claim 12.

They do not teach the method further comprising, in response to detecting a user

attempt to remove the storage medium, prompting the computer user to replace the

storage medium prior to batch writing the designated resources to the storage medium.

Paravulescu teaches a method wherein "If media is not present, a beep or other

warning and prompt to the user to insert the media is issued" (Column 7, Line 14). It

would have been obvious to one of ordinary skill in the art at the time of the invention to

modify Nero and Kuroda with the teachings of Paravulescu and include a prompt for the

user to replace the storage medium prior to writing it with the motivation to enable the

user to write on the storage medium.

Claims 24 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Nero (Ahead Software) in view of Sexton et al. (US 6499095).

In regards to claim 24, Nero teaches all the limitations of claim 17. It does not

teach a graphical user interface wherein designating a resource for representation in the

staged resource display area creates a reference to said designated resource rather

than a copy of said designated resource, said reference being dereferenced during

writing to write a current version of the designated resource, including any changes to

the designated resource subsequent to designating it and prior to writing it. Sexton

teaches, "A numeric reference employs a machine-independent format for encoding references between objects that is suitable for both run-time use in virtual memory and storage use in secondary storage." (Column 7, Line 21). He further teaches that "For run-time usage, numeric references can be efficiently 'dereferenced'" (Column 7, Line 31). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero with the teachings of Sexton to include a process of referencing and dereferencing data with the motivation to provide for efficient utilization of memory space.

In regards to claim 32, Nero teaches all the limitations of claim 27. It does not teach a graphical user interface wherein designating a resource for staging creates a reference to said designated resource rather than a copy of said designated resource, said reference being dereferenced during writing to write a current version of the designated resource, including any changes to the designated resource subsequent to designating it and prior to writing it. Sexton teaches, "A numeric reference employs a machine-independent format for encoding references between objects that is suitable for both run-time use in virtual memory and storage use in secondary storage." (Column 7, Line 21). He further teaches that "For run-time usage, numeric references can be efficiently 'dereferenced'" (Column 7, Line 31).

Claims 26, 34 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nero (Ahead Software) in view of Stewart (US 6640269).

In regards to claim 26, Nero teaches all the limitations of claim 17. It does not teach a graphical user interface wherein the operating system monitors staged resources for changes and creates an unchanged copy of any changed staged resource for subsequent writing to the writable resource area in place of the changed staged resource. Stewart teaches "To produce the shared file using some conventional operating systems, the writer sends an "open for write" command to the operating system, including a filename or other identifier with which to name the file. The operating system may create the file and open it. Additionally, the operating system may lock the file in response to such a command in order to prohibit use of the file by other processes while the file is being written. The writer may receive from some conventional operating systems a pointer or other identifier of the file in response to the open for write command." (Column 1, Line 21). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero with the teachings of Stewart and include a locking mechanism with the motivation to provide the user with the protection of writing over an undesired file.

In regards to claim 34, Nero teaches all the limitations of claim 27. Nero does not teach a graphical user interface wherein: designating a resource for staging creates a reference to said designated resource rather than a copy of said designated resource; in response to any subsequent change to the designated resource the operating system creates an unchanged copy of the designated resource, said reference being changed to indicated the unchanged copy; said reference being dereferenced during writing to write the designated resource or its unchanged copy. Stewart teaches "To produce the

shared file using some conventional operating systems, the writer sends an "open for write" command to the operating system, including a filename or other identifier with which to name the file. The operating system may create the file and open it. Additionally, the operating system may lock the file in response to such a command in order to prohibit use of the file by other processes while the file is being written. The writer may receive from some conventional operating systems a pointer or other identifier of the file in response to the open for write command." (Column 1, Line 21).

In regards to claim 44, Nero teaches all the limitations of claim 41. It does not teach an operating system wherein the actions further comprise: for any staged resource that is changed prior to writing, creating an unchanged copy of the staged resource; writing the unchanged copy in place of the changed staged resource. Stewart teaches "To produce the shared file using some conventional operating systems, the writer sends an "open for write" command to the operating system, including a filename or other identifier with which to name the file. The operating system may create the file and open it. Additionally, the operating system may lock the file in response to such a command in order to prohibit use of the file by other processes while the file is being written. The writer may receive from some conventional operating systems a pointer or other identifier of the file in response to the open for write command." (Column 1, Line 21).

Claims 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nero (Ahead Software) in view of Sexton et al. (US 6499095) and in further view of Stewart (US 6640269) and in further view of Kuroda et al. (US 5946277).

In regards to claim 46, Nero teaches one or more computer readable media containing a computer program, the computer program comprising: accepting designations of different resources for staging prior to writing to a removable storage medium. Nero and Sexton teach storing corresponding references to the designated resources. Nero and Stewart teach for any designated resource that is changed prior to writing, creating an unchanged copy of the staged resource and changing the corresponding reference to indicate the unchanged copy. Nero and Kuroda teach that in response to an instruction to write to the removable storage medium, writing any designated resources and any unchanged copies indicated by the stored references. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nero, Sexton, Stewart, and Kuroda to include a computer program comprising accepting designations of different resource prior to writing them, storing references to the resources, creating a "locking" mechanism for the file and writing the to the media with the motivation to enable the user an easy method of writing things to a selected media device.

In regards to claim 47, Nero further teaches an operating system, further comprising: prior to receiving requests from application programs, pre-allocating a contiguous portion of mass storage for use when writing staged resources to the storage media, wherein the pre-allocated portion is large enough to create an image of data to be written to the storage medium (See Figure 4, Element 1, the user can create an image of the file set, also see Figure 6, there is a cache that is set by default); prior to writing the staged resources to the storage media, creating a write image in the

pre-allocated portion of mass storage (See Figure 4, Element 1); wherein writing the

staged resources comprises writing the write image to the storage medium (See Figure

5, Element 1, the user can record the image on the storage medium).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774.

The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

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